

The answers to commonly asked questions provided below are not intended to be a substitute for legally obtained counsel. Appointing authorities are highly advised to seek qualified legal counsel should questions arise that may negatively impact the rights of a deaf or hard of hearing individual.

FAQ

Michigan Interpreter Law

Public Act 23 & 24

Q: Does this law take immediate effect?

A: The legislation was effective immediately upon receiving the Governor's signature on June 29, 2007.

The penalty provisions for individuals who misrepresent themselves as interpreters are effective on October 1, 2007.

The penalty provision for appointing authorities is effective upon the effective date of the rules promulgated.

The Department of Labor and Economic Growth (DLEG) and Division on Deaf and Hard of Hearing (DODHH) will convene a rules committee to address the specific rules to be promulgated beginning fall of 2007.

Q: Do I need to read both bills to understand this law?

A: Yes, Public Acts 23 and 24 are tie-barred legislation, introduced by Senator Gleason and Representative Spade and need to be read together to fully understand the law.

Q: In PA 23 and 24, reference is made to “appointing authorities.” What does this mean?

A: PA 23 defines an appointing authority as a court or a department, board, commission, agency, or licensing authority of this state or a political subdivision of this state or an entity that is required to provide a qualified interpreter under both state or federal law.

Q: Is this law the Department of Education Michigan Administrative Rules of Special Education (MARSE) rules amendments?

A: No, this is interpreter legislation for all venues that are responsible for following state and federal laws. The MARSE rules changes have not been amended for interpreter requirements at this time.

Q: I see that “qualified interpreter” is now defined in the law, what does this mean?

A: A person who is certified through the National Registry of Interpreters for the Deaf (RID) or certified by the DODHH.

Q: What if an appointing authority is unable to locate a certified interpreter?

A: Reasonable effort must be made to accommodate requests for an interpreter. PA 23 requires “reasonable notice” to be given to the appointing authority. Where it is impossible to schedule a Qualified Interpreter in a timely way, the appointing authority should still be advised to provide the best accommodation that is available.

Q: Sometimes a deaf person prefers an interpreter who is not certified, perhaps someone they have known for a long time. If the deaf person requests a non-certified interpreter, how should the organization that is hiring the interpreter respond?

A: According to the legislation a person can only waive their rights to a qualified interpreter in court and administrative hearings. All other waiver considerations will be addressed during the rules process or during the judicial process.

Q: The new law refers to Registry of Interpreters for the Deaf (RID) and Michigan Quality Assurance (QA) certifications. What about National Association for the Deaf (NAD) credentials?

A: NAD, RID and QA interpreters are currently recognized by the Division.

Q: If a person or appointing authority needs to locate a QA or RID interpreter what should they do.

A: DODHH maintains an online interpreter directory available on our website at www.mcdc-dodhh.org. (Found in the “For Interpreter” section)

Q: How do I know if a person is a credentialed interpreter?

A: The interpreter will hold a credentialing card issued through either the DODHH or RID. Ask to see their card and check the expiration date.

Q: What do I do if I am still unsure the person interpreting holds credentials?

A: You may contact the DODHH to confirm whether the person has current QA or RID credentials. Please have the correct spelling of their name for confirmation purposes.

Q: Will people who want to become qualified need to take a test?

A: Yes, the information for the QA test for interpreters can be found on our website at: www.mcdc-dodhh.org. Information related to the RID national testing system website go to: www.rid.org

Q: Is there a fee for testing and certification maintenance? Will I be required to maintain Continuing Education Units?

A: Yes, QA testing fees and QA unit requirements can be found in the QA information packet on our website. There will be an increase for QA testing fees for all in and out of state applications. Please be sure to have the most recently updated QA application when securing your testing dates.

Information for the national testing fees as well as Continuing Education Requirements (CEU) can be found on the RID website.

Q: Will QA 1, 2 or 3 interpreters be restricted to working in certain environments

A: The rules committee will determine if there will be any restrictions for QA interpreters.

Q: What if someone wants to become a certified interpreter? With the new law, how can they gain educational opportunities?

A: A number of colleges offer ASL courses as well as Interpreter Training Programs, local interpreter referral agencies provide workshops and mentoring. Michigan Registry of Interpreters for the Deaf (MIRID) hosts workshops for (www.mirid.org) as well as their local chapters. The Coalition for the Deaf and Hard of Hearing maintains the E-Michigan website for the Deaf and Hard of Hearing (www.midhh.org) it has a plethora of workshops, classes and social gatherings on their calendar that would benefit any person interested in the field of interpreting.

Q: Are there other important provisions of the new law that we should be aware of? Where can we read about PA 23 & PA 24?

A: Yes, it is important that people take the time to read the legislation and take note of the provisions that have been laid out in the legislation
e.g. application fees; certification renewal fees as well as the penalties section.
The law can be accessed at www.michiganlegislature.org.
(Type the bill numbers 25 and 4208 in the bill search section)

Additional questions regarding the legislation may be directed to:

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